

PEEL BRIMLEY LLP
3333 E. SERENE AVENUE, STE. 200
HENDERSON, NEVADA 89074
(702) 990-7272 ♦ FAX (702) 990-7273

Steven D. Meacham, Esq.
Nevada Bar No. 9863
Cary Domina, Esq.
Nevada Bar No. 10567
PEEL BRIMLEY LLP
3333 E. Serene Avenue, Suite 200
Henderson, Nevada 89074-6571
Telephone : (702) 990-7272
Facsimile : (702) 990-7273
smeacham@peelbrimley.com
cdomina@peelbrimley.com

Attorneys for Plaintiff
AMES CONSTRUCTION, INC.

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

AMES CONSTRUCTION, INC., a Minnesota
corporation,

Plaintiff,

v.

CLARK COUNTY, a political subdivision of the
State of Nevada; and CLARK COUNTY
DEPARTMENT OF PUBLIC WORKS; DOES I
through X; and ROE CORPORATIONS I
through X,

Defendants.

CLARK COUNTY, a division of the State of
Nevada,

Counter-Claimant,

vs.

AMES CONSTRUCTUCTION, INC., a
Minnesota corporation,

Counter-Defendant.

CASE NO.: 2:18-cv-00299-JCM-EJY

**STIPULATION AND ORDER TO
STRIKE AMES CONSTRUCTION,
INC.'S ERRONEOUSLY FILED
JURY DEMAND**

///

///

///

STIPULATION AND ORDER TO STRIKE AMES CONSTRUCTION, INC.S'
ERRONEOUSLY FILED JURY DEMAND

AMES CONSTRUCTION (“Plaintiff”) and CLARK COUNTY and CLARK COUNTY DEPARTMENT OF PUBLIC WORKS (collectively “Defendants”) by and through their respective counsel stipulate and agree as follows:

1. On February 16, 2018, Plaintiff filed its Complaint [003] without a Jury Demand, but mistakenly checked the Jury Demand box on the Civil Cover Sheet.

2. Throughout the duration of this case, the Parties have believed that the trial in this matter would be a bench trial, and have acted accordingly.

3. The Parties, after discussing the revelation that the Jury Demand box was mistakenly marked on Plaintiff’s Civil Cover Sheet, have agreed that trial should proceed as a bench trial.

4. To the extent the Court cannot recognize Plaintiff’s error and treat it as such, Plaintiff wishes to withdraw its Jury Demand and the Parties agree to waive any right to a jury in favor of a bench trial.

///

///

///

1 IT HEREBY STIPULATED AND AGREED that Plaintiff withdraws its erroneously filed
2 Jury Demand and the Parties waive any rights to a jury in favor of a bench trial in this matter.

3 IT IS SO STIPULATED AND AGREED.

4 Dated this 10th day of September, 2020.

5 **PEEL BRIMLEY LLP**

**BROWNSTEIN HYATT FARBER
SCHRECK, LLP**

7 */s/ Cary B. Domina*

/s/ Laura B. Langberg

8 Steven D. Meacham, Esq. (SBN 9863)
9 Cary Domina, Esq. (SBN 10567)
3333 E. Serene Avenue, Suite 200
10 Henderson, Nevada 89074-6571
Telephone: (702) 990-7272
11 smeacham@peelbrimley.com
cdomina@peelbrimley.com
12 *Attorneys for Plaintiff*
13 *AMES CONSTRUCTION, INC.*

Kirk B. Lenhard, Esq. (SBN1437)
Adam D. Bult, Esq. (SBN 9332)
Laura B. Langberg, Esq. (SBN 10516)
Travis F. Chance, Esq. (SBN 13800)
Daven P. Cameron, Esq. (SBN 14179)
100 N. City Parkway, Suite 1600
Las Vegas, NV 89106-4614
Telephone: (702) 382-2101
klenhard@bhfs.com
abult@bhfs.com
tchance@bhfs.com
dcameron@bhfs.com
Attorneys for Defendant/Counterclaimant
Clark County and Defendant Clark County
Department of Public Works

18 **ORDER**

19 IT IS SO ORDERED September 14, 2020.

21 
22 **U.S. DISTRICT COURT JUDGE**

PEEL BRIMLEY LLP
3333 E. SERENE AVENUE, STE. 200
HENDERSON, NEVADA 89074
(702) 990-7272 ♦ FAX (702) 990-7273